

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

JACQUELINE GARCÍA-NAVARRO,)
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Plaintiff,)
)
)
v.) 3:17-cv-01271-JAW
)
)
HOGAR LA BELLA UNIÓN, INC.,)
et al.)
)
)
Defendants.)

**ORDER ON PLAINTIFF'S MOTION IN LIMINE TO EXCLUDE AND
INCLUDE EVIDENCE AT TRIAL**

On October 22, 2019, Jacqueline García-Navarro filed a motion in limine to exclude evidence related to her previous mental health, her son's prior arrest, settlements with other defendants, and insurance claim payments or company-wide payment figures. *Mot. in Limine to Exclude and Include Evid. at Trial* (ECF No. 315) (*Pl.'s Mot.*).¹ On October 29, 2019, Universal Insurance Company (Universal), the insurer of defendants María Betancourt and Hogar La Bella Unión, Inc. (Hogar La Bella Unión), filed a response opposing the motion in limine. *Opp'n to Pl.'s Mot. in Limine at Docket No. 315* (ECF No. 344) (*Universal's Opp'n*). Ms. Betancourt and Hogar La Bella Unión did not file a response.

On October 28, 2019, Ms. García-Navarro informed the Court that she, Ms. Betancourt, and Hogar La Bella Unión settled the liability issue and would proceed

¹ Ms. García-Navarro also requested the inclusion of written settlement offers and correspondence regarding the Puerto Rico Law 247 claim. *Pl.'s Mot.* at 4-6. The trial beginning on November 4, 2019, does not concern the Law 247 claim, so the Court reserves ruling on this request and does not address its merits in this order.

to trial only on the damages issue of the tort claim. *Informative Mot. Regarding Settlement and Urgent Req. for Order* (ECF No. 331). Due to this settlement, Universal will no longer participate at the upcoming trial beginning November 4, 2019, because Ms. García-Navarro's direct action against Universal on the issue of coverage will not arise and Universal has elected not to accept Ms. García-Navarro's invitation to participate in the damages only trial. *See Notice of Universal Insurance's Position and Non-Participation as to the Damages Only Trial that is Scheduled to Start on November 4, 2019* at 1 (ECF No. 355).

The Court will not consider Universal's response to Ms. García-Navarro's motion in limine because Universal is not participating at trial. Since Ms. Betancourt and Hogar La Bella Unión have not taken a position on the evidentiary issues raised, it is not clear to the Court that the motion represents a real controversy. Accordingly, the Court dismisses the motion in limine and will rule on these and other evidentiary issues if and when they arise at trial.

The Court DISMISSES without prejudice Jacqueline García-Navarro's Motion in Limine to Exclude and Include Evidence at Trial (ECF No. 315).

SO ORDERED.

/s/ John A. Woodcock, Jr.
JOHN A. WOODCOCK, JR.
UNITED STATES DISTRICT JUDGE

Dated this 1st day of November, 2019